



ACQUISITION AND
TECHNOLOGY

OFFICE OF THE UNDER SECRETARY OF DEFENSE

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WASHINGTON, DC 20301-3000

September 1, 1998

DP/FC

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
ATTN: SERVICE ACQUISITION EXECUTIVES
DIRECTORS OF THE DEFENSE AGENCIES

SUBJECT: Contracts to be Performed in the Federal Republic of
Germany (Germany)

My policy memorandum of May 22, 1998, provides that contracts involving performance in Germany by technical expert (TE) or troop care (TC) personnel require two determinations for the portion of the contract to be performed in Germany: approval of the TE and/or TC positions to be utilized in contract performance, and accreditation of persons to fill approved positions. Authority for both determinations rests with Headquarters, US Army, Europe and Seventh Army, ATTN: DOCPER. In making these determinations, DOCPER acts for all Military Departments and Defense Agencies. The policy covers employees of contractors at any level, prime or subcontract. Contractor personnel performing under Foreign Military Sales contracts to fulfill German requirements are not eligible for TE or TC status.

The May 22 policy requires contracting activities to provide copies of correspondence with DOCPER to Defense Contract Management Command (DCMC) Southern Europe. Contracting activities should provide DOCPER with email addresses and telephone and fax numbers of contracting officers whose contracts are affected by the policy.

Questions involving interpretation of contract provisions involving contractor employees in Germany should be referred to DCMC Southern Germany. Questions that cannot be resolved by DCMC should be referred to the contracting officer who awarded the contract.

Eleanor R. Spector
Director, Defense Procurement